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# Proposed Criteria and Standards for the Utah Independent Redistricting Commission

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## Commission Meeting of July 20, 2021

Presented By: Matthew M. Cannon, Shareholder

# Roadmap for Presentation

- Threshold Criteria
- Redistricting Standards

## Threshold Criteria

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- Utah Code § 20A-20-302(4)
- Five criteria to which the Commission must comply.

## Threshold Criteria, Utah Code § 20A-20-302(4)

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### PROPOSED CRITERION 1.

#### **Legislative Redistricting Principles**

The Commission will submit maps that comply with the Redistricting Principles as adopted by the Legislative Redistricting Committee. These Redistricting Principles have been incorporated into proposed criteria (2), (3), and (4).

## Threshold Criteria, Utah Code § 20A-20-302(4)

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### PROPOSED CRITERION 2.

#### **Population Deviation**

The Commission will only submit maps that are drawn using the official population enumeration of the most recent decennial census. Each district will be drawn using the total population figure of the most recent decennial census. The Commission will make a good faith effort to achieve numerical equality across districts. For congressional districts, the total population deviation shall not exceed  $\pm 0.1\%$ ; and for State House, State Senate, and State School Board, the total population deviation shall not exceed  $\pm 5.0\%$ . The term “total population deviation” is defined in Utah Code § 20A-20-302(b).

## Threshold Criteria, Utah Code § 20A-20-302(4)

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### PROPOSED CRITERION 3.

#### Federal & State Law

The Commission will not use race as a predominant factor in drawing district lines and any map submitted shall comply with the United States Constitution, all applicable federal laws, including Section 2 of the Voting Rights Act. In evaluating the requirements of this Subsection, the Commission shall rely on the current precedent of the United States Supreme Court, the 10th Circuit Court of Appeals, and, where applicable, the Utah Supreme Court.

## Threshold Criteria, Utah Code § 20A-20-302(4)

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### PROPOSED CRITERION 4.

#### **Single Member Districts & Contiguity**

The Commission will only recommend maps in which each district in each map is a single member district. A single member district is defined as an electoral district represented by a single officeholder, rather than two or more officeholders. Furthermore, each district will be contiguous, meaning that no part of a district can be entirely separated from the remainder of the district.



## Threshold Criteria, Utah Code § 20A-20-302(4)

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### PROPOSED CRITERION 5.

#### **Reasonably Compact**

The Commission shall, to the extent practicable, submit maps with districts that are reasonably compact. Compactness means that districts shall avoid odd shapes or contortions that cannot be explained by other legitimate redistricting criteria.

## Redistricting Standards

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- Utah Code § 20A-20-302(5)
- Six considerations for the Commission to use as 'standards' in evaluating their maps

## Redistricting Standards, Utah Code § 20A-20-302(5)

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### PROPOSED STANDARD 1.

#### **Communities of Interest**

The Commission shall, to the extent practicable, preserve communities of interest. A “community of interest” is defined as a group of people in a contiguous geographic area that share common policy interests, whether cultural, religious, social, economic, or others that do not necessarily coincide with the boundaries of a political subdivision. A community of interest cannot be based on a relationship with a political party, particular incumbent, or certain political candidates.

## Redistricting Standards, Utah Code § 20A-20-302(5)

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### PROPOSED STANDARD 2.

#### **Geographic Boundaries**

The Commission shall, to the extent practicable, follow natural, geographic, or man-made features, boundaries, or barriers when drawing district boundaries. A “geographic boundary” means natural barriers, such as mountain ranges, significant rivers or large lakes, and other bodies of water. A “man-made” feature refers to prominent aspects of the built or human-designed environment, including streets, freeways, and census tracts. The Commission intends to qualitatively evaluate this standard.

## Redistricting Standards, Utah Code § 20A-20-302(5)

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### PROPOSED STANDARD 3.

#### **Cores of Prior Districts**

The Commission shall, to the extent practicable, preserve cores of prior districts. In doing so, the Commission will consider district lines as previously drawn. If possible, the Commission will utilize empirical methods of measuring congruence in prior and proposed district boundaries.

## Redistricting Standards, Utah Code § 20A-20-302(5)

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### PROPOSED STANDARD 4.

#### **Municipalities and Counties**

The Commission will, to the extent practicable, submit maps which minimize the division of municipalities and counties across multiple districts. The term “municipality” is defined in [Utah Code § 10-1-104\(5\)](#). The Commission will, to the extent practicable, rely on empirical measurements of division.

## Redistricting Standards, Utah Code § 20A-20-302(5)

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### PROPOSED STANDARD 5.

#### Boundary Agreement

The Commission will, to the extent practicable, seek boundary agreement among the map types submitted. Specifically, the Commission will consider the alignment among the boundaries of the districts for the Utah House of Representatives, the Utah State Senate, the Utah State School Board, and the United States Congress.

## Redistricting Standards, Utah Code § 20A-20-302(5)

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### PROPOSED STANDARD 6.

#### **Purposeful or Undue Favoring**

The Commission will, to the extent practicable, prohibit the purposeful or undue favoring or disfavoring of an incumbent elected official, a candidate or prospective candidate for elected office, or a political party. In so doing, the Commission will consider direct or indirect evidence of intent and, where practicable, quantitative measures.



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